



1636
Attorney Docket No. LSB.0137.00US07 119103
1/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KUMAGAI, ET AL.)
SERIAL NO.: 09/359,300) EXAMINER: LEFFERS, JR.
FILED: JULY 21, 1999) GERALD G.
TITLE: METHOD OF DETERMINING THE) ART UNIT: 1636
PRESENCE OF A TRAIT BY TRANS-) CONF. NO. 2643
FECTING A NUCLEIC ACID SEQUENCE)
OF A NON-PLANT DONOR IN A HOST)
PLANT IN A POSITIVE SENSE)
ORIENTATION)

Assistant Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT AND REMARKS

Sir:

AMENDMENT

Please amend the application as follows:

In the claims:

Please replace Claims 45, 62, and 63 with the following replacement claims:

45. (Six Times Amended) A method of determining the presence of a trait in a plant, comprising:

- a) preparing a library of DNA or RNA sequences from a non-plant donor organism, and constructing recombinant plant viral nucleic acids each comprising an unidentified nucleic acid insert obtained from said library in a positive sense orientation;
- b) infecting plant hosts with said recombinant plant viral nucleic acids;
- c) transiently expressing the unidentified nucleic acid inserts in said infected plant hosts;
- d) determining the presence of one or more changes in phenotypic or biochemical traits of said infected plant hosts;

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37 CFR 1.8 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 11/16/03

Signature Tasha L. Cove